

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

CARL BRUCE FANNING and  
BRONDENA FANNING,

**RECEIVED**

Plaintiffs, 2006 FEB 24 P 2:41

CIVIL ACTION NUMBER:

CV05-2663

v.

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

NATIONAL CARRIERS, BRUCE  
NORMAN, JR. and ALLSTATE  
INSURANCE COMPANY, INC.,

Defendants.

**ANSWER**

2005 NOV 16 PM 12:54

MONTGOMERY COUNTY  
CIRCUIT CLERK

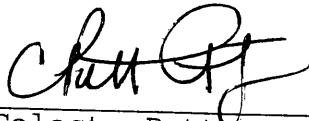
COMES NOW the defendant, Allstate Insurance Company, and  
answers the complaint as follows, separately and severally:

1. The defendant admits that it provides UIM (underinsured motorist) coverage to the plaintiff subject to the terms and conditions of the applicable Allstate policy.
2. The general issue is plead, and, to the extent not admitted in the preceding paragraph, each and every material allegation contained in the complaint is denied, and strict proof thereof is demanded.
3. Defendant denies that the plaintiff is entitled to recover the items and amount of damages alleged in the complaint and demands strict proof thereof.
4. Defendant avers that he/she is entitled to either a set-off or credit to the extent of all available liability limits of any other defendant.
5. The complaint fails to state a claim for relief.
6. Defendant reserves the right to amend this answer.
7. The defendant asserts any affirmative defenses that may be available to the defendant/tortfeasor in this

matter.

TRIAL BY STRUCK JURY IS DEMANDED

By



Celeste Patton Armstrong  
(PAT044)

Attorney for Defendant  
Allstate Insurance Company

OF COUNSEL:

**Varner & Associates**

2600 Meadow Brook South, Suite 200  
at 2600 Corporate Drive  
Birmingham, Alabama 35242  
Telephone: (205) 981-3700

CERTIFICATE OF SERVICE

This is to certify that I have on this date served a copy of the within and foregoing upon:

Julia A. Beasley, Esq.  
BEASLEY, ALLEN, CROW, METHVIN,  
PORTIS & MILES, P.C.  
P. O. Box 4160  
Montgomery, AL 36103

National Carriers  
1501 East 8th Street  
P. O. Box 1358  
Liberal, KS 37901

Mr. Bruce Norman, Jr.  
4315 South Olie  
Oklahoma City, OK 73109

by placing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage thereon to ensure delivery.

This 15<sup>th</sup> day of November, 2005.

  
OF COUNSEL